



STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
COLUMBIA ENVIRONMENTAL FIELD OFFICE

1421 HAMPSHIRE PIKE
COLUMBIA, TENNESSEE 38401
PHONE (931) 380-3371 STATEWIDE 1-888-891-8332 FAX (931) 380-3397

September 27, 2011

Mr. Khamsay Sengchanh
510 Gant Road
Shelbyville, TN 37160
Nashville, TN 37243

Certified Mail
Return Receipt Requested
Receipt #: 91 7199 9991 7030 6418 6535

Mr. Vann Blair
Blair and Blair Construction
395 Old Mansford Road
Winchester, TN 37398

Certified Mail
Return Receipt Requested
Receipt #: 91 7199 9991 7030 6418 6528

RE: **Notice of Violation**
NPDES Permit TNR181289
Sengchanh Chicken Barn Expansion 3
Shelbyville, Bedford County, Tennessee

Dear Mr. Sengchanh:

On September 21, 2011, personnel from the Division of Water Pollution Control conducted an inspection of Segchanh Chicken Barn Expansion 3 on Gant Road. This inspection was initiated by a complaint our office received on September 16 concerning lack of erosion controls and sediment migrating off of the construction site.

During our inspection of the site, it was noted that several disturbed areas had not been stabilized. Further inspection revealed that the erosion controls had not been properly installed which, in turn, allowed mobilized sediment to discharge from the site to an adjacent stream. Personnel also noted that the Notice of Coverage (NOC) and Storm Water Pollution Prevention Plan (SWPPP) were not posted on site as required by the Construction General Permit TNR181289.

On September 23, 2011, I spoke with Mr. Vann Blair concerning the issues with the construction site. I told Mr. Blair to remove sediment deposits from within the stream channel, install adequate erosion controls, stabilize the disturbed areas, and update the SWPPP to reflect the changes made to the site.

This letter serves as notification that violations of the NPDES General Permit for Discharges Associated with Construction Activities constitute violations of the *Tennessee Water Quality Control Act of 1977* (T.C.A. § 69-3-101 et. seq.) (*Act*), specifically §69-3-108. (b)(6), which states:

69-3-108. Permits. – (b) It is unlawful for any person, other than a person who discharges into a publicly owned treatment works or a person who is a domestic discharger into a privately owned treatment works, to carry out any of the following activities, except in accordance with the conditions of a valid permit:

(6) The discharge of sewage, industrial wastes or other wastes into waters, or a location from which it is likely that the discharged substance will move into waters.

Further, T.C.A. § 69-3-115 conveys that any person who violates the terms or conditions of a permit is subject to a civil penalty for each day during which the act or omission continues or occurs. This letter serves as formal Notice of Violation and by copy will inform our Enforcement and Compliance Section of the violations. In an effort to avoid further violations, erosion controls should be installed and implemented according to design standards. To minimize the amount of mobilized sediment reaching erosion controls, any disturbed areas should be stabilized as soon as possible. Sediment that has migrated outside of the project boundary and entered the stream channel must be removed with hand tools and placed in a location where it may not reenter the stream. You must also post the Notice of Coverage and updated copy of the Storm Water Pollution Prevention Plan on site. If you have any questions or regarding this matter, please call me at (931) 490-3943.

Sincerely,

A handwritten signature in black ink, appearing to read "Cody Chapman", with a long, sweeping horizontal line extending to the right.

Cody Chapman
Division of Water Pollution Control